



**October 22, 2003**

## **Grand jury charges two with firearms offenses**

A federal grand jury has returned two indictments, in unrelated cases, charging **Victor Baptiste**, of Worcester, Massachusetts, with being a felon in possession of a firearm, and **John Waters**, of Warwick, with being a felon in possession of ammunition.

The Office of the United States Attorney, Monty J. Monteiro, Resident Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Colonel Steven M. Pare, Superintendent of the Rhode Island State Police, and East Providence Police Chief Norman Miranda, jointly announced the indictments, which were returned today in U.S. District Court, Providence. Both defendants were previously arrested on the charges and are in custody pending arraignment.

One indictment alleges that Baptiste, 31, of 142 Chino Avenue, Worcester, having been previously convicted of a felony, was in possession of a .45 caliber semi-automatic pistol in Rhode Island on October 29, 2002.

The other indictment alleges that, on May 20, Waters, 52, of 28 Eton Avenue, Warwick, having been previously convicted of a felony, possessed ammunition – shot gun shells and .38 caliber, .45 caliber, 9 millimeter, .22 caliber, and 357 magnum cartridges.

An indictment is merely an allegation and a defendant is presumed innocent unless and until proven guilty. The statutory maximum penalty for being a felon in possession of firearms or ammunition is ten years in federal prison and a \$250,000 fine. Exact sentencing for any

defendant convicted would be determined on the basis of federal sentencing guidelines, which take into account such factors as the specific nature and impact of an offense and a defendant's criminal background, if any.

East Providence Police and ATF investigated the Baptiste case. Assistant U.S. Attorney Adi Goldstein is prosecuting it. ATF and the Rhode Island State Police investigated the Waters case. Assistant U.S. Attorney Zechariah Chafee is prosecuting it.

The cases are being prosecuted federally under a **Project Safe Neighborhoods** initiative in which prosecutors from the Rhode Island Attorney General's Office and the U.S. Attorney's Office jointly review firearms cases to determine where best to prosecute them. Project Safe Neighborhoods is a Department of Justice initiative against gun crimes and gun violence.

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